

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Amended) A system for treating bone fractures, the system comprising:
an intramedullary nail defining an longitudinal opening and an intersecting transverse opening, said transverse opening having an upper surface and a lower surface;
a transverse member including a bone engaging portion and a connection ~~portion~~ shaft,
said connection ~~portion~~ shaft ~~defining a thru hole~~, said nail being sized to pass through said ~~thru hole~~ transverse opening; and
a ~~pin~~ set screw selectively attached to said ~~transverse member and operable nail in said~~ longitudinal opening and movable along said longitudinal axis to rigidly assemble said transverse member to said nail when said ~~nail~~ connection shaft passes through said ~~thru hole~~ transverse opening and said set screw ~~pin~~ is received within said opening.
2. (Amended) The system of claim 1 wherein said ~~transverse member defines a passage intersecting said through hole~~ connection shaft is moveably joined to said bone engaging portion.
3. (Amended) The system of claim 2 wherein said ~~passage includes a threaded portion, said pin includes a leading portion and a trailing portion, said leading portion has an elongated section configured to be slidably received within said opening, said trailing portion has external threads to engage said threaded portion to advance said in through said passage~~ connection shaft is pivotally joined to said bone engaging portion.
4. (Amended) The system of claim 1 wherein said ~~pin includes an engaging surface configured to engage said nail and clamp said nail against said transverse member~~ said transverse member further includes a connection portion extending between said connection shaft and said bone engaging portion.

5. (Amended) The system of claim 1 wherein said ~~pin~~ connection shaft includes a leading portion and a trailing portion, one of said leading portion and said trailing portion includes a ball member and another of said leading portion and said trailing portion includes a socket member, said ball and socket members cooperating to permit angular variation between said leading portion and said trailing portion.

6. (Cancelled)

7. (Amended) The system of claim ~~1~~ 4 wherein said connection portion is adapted to slidably receive said bone engaging portion.

8. (Amended) The system of claim ~~7~~ 4 wherein said bone engaging portion includes a keeper, said connection portion includes an inner retaining lip, said keeper co-acting with said retaining lip to provisionally maintain said bone engaging portion and said connection portion in sliding engagement.

9. (Cancelled)

10. (Amended) The system of claim 1 wherein said ~~nail defines a longitudinal axis and includes a longitudinal passageway opening~~ extending at least partially therethrough and ~~intersecting~~ said transverse opening, a portion of said longitudinal passageway being threaded to engage a said set screw, said set screw including a stem portion adapted to be slidably received within said longitudinal passageway to lockingly engage said ~~pin~~ connection shaft.

11. (Amended) The system of claim 1 wherein said ~~nail defines a longitudinal axis, said lower surface of said transverse opening defines a first angled portion to engage said pin connection shaft in an abutting relationship with said pin connection shaft oriented at a first oblique angle relative to said longitudinal axis.~~

12. (Amended) The system of claim 11 wherein said upper surface of said transverse opening defines a second angled portion generally opposite said first angled portion to engage said ~~pin~~ connection shaft when said ~~pin~~ connection shaft is oriented at said first oblique angle.

13-14 (Cancelled)

15. (Amended) The system of claim ~~14~~ 12 wherein said first and second oblique angles are each about 135 degrees.

16-48 (Cancelled)

49. (New) A system for treating bone fractures, the system comprising:
an intramedullary nail defining a longitudinal axis, said nail defining an elongated, longitudinal opening laterally extending therethrough, and a longitudinal passage intersecting said opening;
a bone engaging member sized to pass through said opening; and
a positioning device disposed in said passage, the position of said device being adjustable along the longitudinal axis of said nail to move said bone engaging member passing through said slot and compress or distract said bone fracture.

50. (New) The system of claim 49 wherein said positioning device includes a first portion and a second portion, said first portion being configured to rotate to adjust the position of said second portion along the longitudinal axis of said nail, said second portion being configured to move in correspondence with the rotation of said first portion and bear against said bone engaging member.

51. (New) The system of claim 50 wherein said first portion includes a first threaded portion, said second portion including a second threaded portion, and wherein said second portion is transferred along the longitudinal axis of said nail as said first portion threadedly engages said second portion.

52. (New) The system of claim 50 wherein said nail defines a threaded wall about said longitudinal passage, said first portion including a threaded portion to engage said threaded wall, and wherein said second portion is transferred along the longitudinal axis of said nail as said threaded portion threadedly engages said threaded wall and said first portion engages said second portion.
